



2017 SENATE BILL 171

April 13, 2017 - Introduced by Senators WIRCH, BEWLEY, CARPENTER, ERPENBACH, HANSEN, C. LARSON, MILLER, RINGHAND, SHILLING and VINEHOUT, cosponsored by Representatives HESSELBEIN, ANDERSON, BERCEAU, BILLINGS, BROSTOFF, CROWLEY, HEBL, KOLSTE, MASON, MILROY, OHNSTAD, POPE, SHANKLAND, SINICKI, SPREITZER, SUBECK, C. TAYLOR, WACHS, YOUNG and ZEPNICK. Referred to Committee on Natural Resources and Energy.

1 **AN ACT to amend** 15.05 (1) (c), 15.34 (2) (a) and 17.20 (1) of the statutes; **relating**
2 **to:** the appointment and term of service of the secretary of natural resources
3 and vacancies on the Natural Resources Board.

Analysis by the Legislative Reference Bureau

This bill changes the method for appointing the secretary of natural resources and members of the Natural Resources Board and makes changes to the length of the secretary's term under certain circumstances.

Under this bill, the secretary of natural resources is nominated by the Natural Resources Board and appointed with the advice and consent of the senate for a four-year term. The bill provides that the secretary in office when the bill takes effect serves a four-year term beginning when the bill takes effect. Under current law, the secretary is nominated by the governor and appointed with the advice and consent of the senate to serve at the pleasure of the governor.

The bill also provides that, when the office of secretary becomes vacant, the new appointee will serve a full four-year term beginning when he or she is appointed. Under current law, when an appointive state office that has a specific term becomes vacant, the new appointee is appointed for the rest of the unexpired term.

The Natural Resources Board consists of seven members nominated by the governor and appointed with the advice and consent of the senate for six-year terms. This bill provides that a board member's position becomes vacant upon the expiration of the member's term, which would allow the governor to provisionally fill the vacancy until the senate acts on the appointment. This change first applies to

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a position held by a board member nominated after January 1, 2018. Under current law, a member of the Natural Resources Board whose term has expired may continue to serve after the expiration of his or her term until a successor is nominated by the governor and the senate consents to the nomination.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.05 (1) (c) of the statutes is amended to read:

2 15.05 (1) (c) The secretary of natural resources shall be nominated by the
3 ~~governor~~ natural resources board, and with the advice and consent of the senate
4 appointed, ~~to serve at the pleasure of the governor~~ for a 4-year term.

5 **SECTION 2.** 15.34 (2) (a) of the statutes is amended to read:

6 15.34 (2) (a) The natural resources board shall consist of 7 members appointed
7 for staggered 6-year terms. Upon the expiration of the term of a member nominated
8 after January 1, 2018, the position that was held by the member is vacant.

9 **SECTION 3.** 17.20 (1) of the statutes is amended to read:

10 17.20 (1) GENERAL. Vacancies in appointive state offices shall be filled by
11 appointment by the appointing power and in the manner prescribed by law for
12 making regular full term appointments thereto, and appointees to fill vacancies
13 therein shall hold office for the residue of the unexpired term or, if no definite term
14 of office is fixed by law, until their successors are appointed and qualify, except that
15 an appointee to fill a vacancy in the office of secretary of natural resources is
16 appointed to a full 4-year term beginning on the date of appointment and
17 qualification.

18 **SECTION 4. Nonstatutory provisions.**

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SECTION 4

1 (1) The secretary of natural resources serving on the effective date of this
2 subsection shall serve a 4-year term beginning on the effective date of this
3 subsection.

4 (END)